

Amendment and Response

Applicant: George Bradley Hobbs
Serial No.: 09/734,295
Filed: December 11, 2000
Docket No.: 10003974-1

Title: PRINT PROCESSING SYSTEM AND METHOD WITH PRINT JOB ADVERTISING

REMARKS

The following Remarks are made in response to the Non-Final Office Action mailed October 2, 2007, in which claims 15 and 25 were rejected.

With this Amendment, claims 33-50 have been added.

Claims 15, 25, and 33-50, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

Claims 15 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawai et al. US Patent No. 6,404,994.

The earliest effective date of the Kawai et al. US Patent No. 6,404,994 is June 26, 2000 which is prior to the filing date of December 11, 2000 of the present patent application. Accompanying this Response is a Declaration of Prior Invention under 37 C.F.R. 1.131 to establish conception of the subject matter of the present patent application prior to the earliest effective date of June 26, 2000 of the Kawai et al. US Patent No. 6,404,994 coupled with due diligence from prior to the earliest effective date of the Kawai patent up to the filing date of the present patent application (i.e., constructive reduction to practice). Applicant, therefore, respectfully requests consideration of the Declaration of Prior Invention under 37 C.F.R. 1.131.

In view of the above, Applicant submits that the Kawai et al. US Patent No. 6,404,994 does not qualify as a reference under 35 U.S.C. 102(e). Applicant, therefore, respectfully requests that the rejection of claims 15 and 25 under 35 U.S.C. 102(e) be reconsidered and withdrawn and that claims 15 and 25 be allowed.

New Claims

In the Office Action mailed March 21, 2007, claims 15 and 25 were objected to as being dependent upon a rejected base claim and were indicated as being allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Accordingly, in reply to the Office Action mailed March 21, 2007, claims 15 and 25 were rewritten in independent form to include all of the limitations of the base claim and any

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intervening claims. In addition, then pending claims 11-14, 16-21, 24, and 26-32 were cancelled in an effort to further prosecution and permit the issuance of a patent on the allowable subject matter.

As the Examiner has withdrawn the indicated allowance of claims 15 and 25, Applicant has added new claims 33-50 corresponding to previously pending and cancelled claims 11-14, 16-21, 24, and 26-32. More specifically, claims 33-36 correspond to previously pending and cancelled claims 11-14, claims 37-42 correspond to previously pending and cancelled claims 16-21, claim 43 corresponds to previously pending and cancelled claim 24, and claims 44-50 correspond to previously pending and cancelled claims 26-32.

As claims 11-14, 16-21, 24, and 26-32 were previously rejected under 35 U.S.C. 102(e) as being anticipated by Kawai et al. US Patent No. 6,404,994 and Applicant has submitted a Declaration of Prior Invention under 37 C.F.R. 1.131 to establish conception of the subject matter of the present patent application prior to the earliest effective date of June 26, 2000 of the Kawai et al. US Patent No. 6,404,994 coupled with due diligence from prior to the earliest effective date of the Kawai patent up to the filing date of the present patent application (i.e., constructive reduction to practice), as outlined above, Applicant respectfully requests that claims 33-50 be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 15, 25, and 33-50 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan R. Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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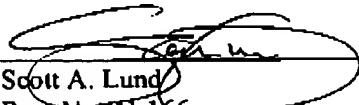
Respectfully submitted,

George Bradley Hobbs,

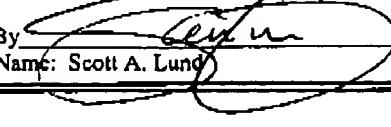
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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 7th day of January 2008.


 By Scott A. Lund
 Name: Scott A. Lund